

Bereskin & Parr

INTELLECTUAL PROPERTY LAW

Confirmation No.: 1560

Appl. No. : 10/582,982
Applicants : Robert C. Shipman and David K. H. Lee
Filed : June 15, 2006
Title : Materials and Methods for Analysis of ATP-Binding Cassette Transporter Gene Expression
TC./A.U. : 1634
Examiner : POHNERT, Steven C.

Docket No. : 13516-4
Customer No. : 001059

Honorable Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia
U.S.A. 22313-1450

May 22, 2008

RESPONSE TO OFFICE COMMUNICATION

FILED ELECTRONICALLY

Sir:

This paper is in response to the Office Communication of April 24, 2008. This Response is timely filed.

Recordation of Substance of Telephone Interview with Examiner Pohnert

In accordance with 37 CFR §1.113(b), the Applicants submit the following recordation of the substance of a telephone interview with the Examiner that occurred on April 22, 2008. The following information is to supplement the information provided on form PTOL-413 dated April 24, 2008, prepared by the Examiner.

Present at the interview were Examiner Pohnert and Patricia Folkins (Agent for the Applicants). There were no exhibits shown or demonstrations conducted during the interview. No specific prior art was discussed.

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The Applicants' wished to discuss the merits of the claims submitted with their Response dated February 26, 2008. The Examiner stated that a sequence search had been done, however the search needed to be reviewed in light of the amendments made to the claims on February 26, 2008. The Examiner further suggested that other objections may be raised in light of the claiming of nucleic acid sequences wherein T can be U.

A Response and Request for Continuation were filed on April 25, 2008. It should be noted that sequences wherein T is replaced with U are no longer claimed in the claims submitted with this Response.

Early and favorable action on the merits is awaited. Should the Examiner deem it beneficial to discuss the application in greater detail, the Examiner is invited to contact Patricia Folkins by telephone at (416) 957-1683 at the Examiner's convenience.

The Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment to our Deposit Account No. 02-2095.

Respectfully submitted,

BERESKIN & PARR

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